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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2011-883**

13 **LISA ADRIENNE SANDERCOCK**
14 **aka LISA ADRIENNE GUTIERREZ**
15 **aka LISA ADRIENNE MOORE**
16 **aka LISA ADRIENNE HILARIO**
13419 Melody Road
Chino Hills, CA 91709
Registered Nurse License No. 493607
Respondent.

A C C U S A T I O N

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs (Board).

23 2. On or about August 31, 1993, the Board issued Registered Nurse License No. 493607
24 to Lisa Adrienne Sandercock aka Lisa Adrienne Gutierrez aka Lisa Adrienne Moore aka Lisa
25 Adrienne Hilario (Respondent). The Registered Nurse License was in full force and effect at all
26 times relevant to the charges brought herein and will expire on January 31, 2013, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

4. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 490 of the Code provides that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

6. Section 2750 of the Code provides that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

7. Section 2764 of the Code provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

8. Section 2761 of the Code provides:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

"(2) A conviction of practicing medicine without a license in violation of Chapter 5 (commencing with Section 2000), in which event the record of conviction shall be conclusive evidence thereof..."

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1 "(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
2 violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice
3 Act] or regulations adopted pursuant to it.

4 "(f) Conviction of a felony or of any offense substantially related to the qualifications,
5 functions, and duties of a registered nurse, in which event the record of the conviction shall be
6 conclusive evidence thereof.

7 9. Section 2762 of the Code provides:

8 "In addition to other acts constituting unprofessional conduct within the meaning of this
9 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
10 chapter to do any of the following:

11 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed
12 physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or
13 administer to another, any controlled substance as defined in Division 10 (commencing with
14 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
15 defined in Section 4022.

16 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
17 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
18 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
19 himself or herself, any other person, or the public or to the extent that such use impairs his or her
20 ability to conduct with safety to the public the practice authorized by his or her license.

21 "(c) Be convicted of a criminal offense involving the prescription, consumption, or
22 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
23 or the possession of, or falsification of a record pertaining to, the substances described in
24 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
25 thereof.

26 10. Section 2764 of the Code provides that the expiration of a license shall not deprive
27 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to

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1 render a decision imposing discipline on the license. Under section 2811(b) of the Code, the
2 Board may renew an expired license at any time within eight years after the expiration.

3 REGULATORY PROVISIONS

4 11. California Code of Regulations, title 16, section 1444, provides:

5 "A conviction or act shall be considered to be substantially related to the qualifications,
6 functions or duties of a registered nurse if to a substantial degree it evidences the present or
7 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
8 safety, or welfare."

9 COST RECOVERY

10 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
11 administrative law judge to direct a licensee found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case.

14 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

15 13. Cipolin is a dangerous drug pursuant to section 4022 of the Code.

16 14. Vicodin is a Schedule III controlled substance, as designated by Health and Safety
17 Code section 11056(e)(7), and is categorized as a dangerous drug pursuant to section 4022 of the
18 Code.

19 FIRST CAUSE FOR DISCIPLINE

20 (Conviction of Substantially Related Crime)

21 13. Respondent is subject to disciplinary action under sections 490 and 2761, subdivision
22 (f), in conjunction with California Code of Regulations, title 16, section 1444, in that, Respondent
23 was convicted of a crime substantially related to the qualifications, functions or duties of a
24 registered nurse which to a substantial degree evidences her present or potential unfitness to
25 practice in a manner consistent with the public health, safety, or welfare. The circumstances are
26 as follows:

27 a. On or about December 1, 2010, after pleading nolo contendere, Respondent was
28 convicted of one misdemeanor count of violating Vehicle Code Section 23152(b) [driving with a

1 BAC level over .08%] in the criminal proceeding entitled *The People of the State of California v.*
2 *Lisa Adrienne Sandercock* (Super. Ct. Los Angeles County, 2010, No. 0PK05705). The Court
3 placed Respondent on three (3) years of probation, and ordered Respondent to complete a 1st
4 Offender Alcohol and Other Drug Education and Counseling Program. In addition, the Court
5 ordered Respondent to pay a fine of \$1,929.00.

6 b. The circumstances underlying the conviction are that on or about August 1, 2010,
7 Pomona Police Officers arrested Respondent for driving under the influence of alcohol.
8 Respondent was tested as having a blood alcohol level (BAC) of 0.22% and admitted to the
9 arresting officers to being under the influence of Cipolin and Vicodin.

10 **SECOND CAUSE FOR DISCIPLINE**

11 (Alcohol Related Conviction)

12 14. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
13 conjunction with 2762, subdivision (c), on the grounds of unprofessional conduct, in that, on or
14 about December 1, 2010, Respondent was convicted of a criminal offense involving alcoholic
15 beverages. Complaint refers to and by this reference incorporates the allegations set forth above
16 in paragraph 13, subparagraphs a and b, inclusive, as though set forth fully.

17 **THIRD CAUSE FOR DISCIPLINE**

18 (Dangerous Use of Alcohol / Controlled Substance and / or Dangerous Drugs)

19 15. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
20 conjunction with 2762, subdivision (b), on the grounds of unprofessional conduct, in that, on or
21 about August 1, 2010, Respondent used alcoholic beverages, a controlled substance and / or
22 dangerous drugs, to an extent or in a manner dangerous or injurious to herself or others when she
23 drove a vehicle while under the influence of alcohol, Cipolin, and Vicodin. Complaint refers to
24 and by this reference incorporates the allegations set forth above in paragraphs 13 and 14,
25 inclusive, as though set forth fully.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct / Violate Act)

3 16. Respondent is subject to disciplinary action under section 2761, subdivisions (a) and /
4 or (d), in that, Respondent committed acts of unprofessional conduct, and/or acts violating
5 provisions of the Nursing Practice Act. Complaint refers to and by this reference incorporates the
6 allegations set forth above in paragraphs 13-15, inclusive, as though set forth fully.

7 **PRAYER**

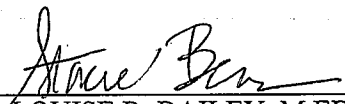
8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
9 and that following the hearing, the Board of Registered Nursing issue a decision:

10 1.1. Revoking or suspending Registered Nurse License No. 493607, issued to Lisa
11 Adrienne Sandercock aka Lisa Adrienne Gutierrez aka Lisa Adrienne Moore aka Lisa Adrienne
12 Hilario;

13 1.2. Ordering Lisa Adrienne Sandercock aka Lisa Adrienne Gutierrez aka Lisa Adrienne
14 Moore aka Lisa Adrienne Hilario to pay the Board the reasonable costs of the investigation and
15 enforcement of this case, pursuant to section 125.3; and

16 1.3. Taking such other and further action as deemed necessary and proper.

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19 DATED: 4/26/11

20 *for* 
21 LOUISE R. BAILEY, M.ED., RN
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant

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